

Comprehensive Conservation Plan

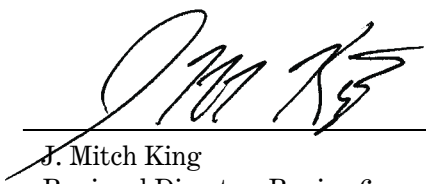

North Dakota Limited-interest National Wildlife Refuges

April 2006

Prepared by the U.S. Fish and Wildlife Service

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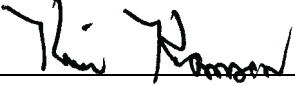
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Comprehensive Conservation Plan Approval

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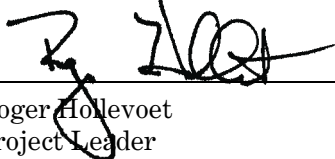
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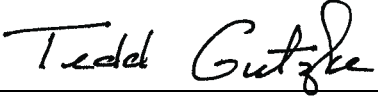
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North Dakota Limited-interest National Wildlife Refuges

Appert Lake	Lost Lake
Ardoch	Maple River
Bone Hill	Pleasant Lake
Brumba	Pretty Rock
Buffalo Lake	Rabb Lake
Camp Lake	Rock Lake
Canfield Lake	Rose Lake
Cottonwood Lake	School Section Lake
Dakota Lake	Sheyenne Lake
Half Way Lake	Sibley Lake
Hiddenwood	Silver Lake
Hobart Lake	Snyder Lake
Hutchinson Lake	Springwater
Johnson Lake	Stoney Slough
Lake George	Sunburst Lake
Lake Otis	Tomahawk
Lake Patricia	Willow Lake
Lambs Lake	Wintering River
Little Goose	Wood Lake
Lords Lake	

Abbreviations Used in this CCP

BMPs	best management practices
BOR	Bureau of Reclamation
CCP	comprehensive conservation plan
EA	environmental assessment
EO	executive order
FmHA Lands	Farmers Home Administration Lands
FONSI	finding of no significant impact
HAPET	“Habitat and Population Evaluation Team”
Improvement Act	National Wildlife Refuge System Improvement Act of 1997
NDGF	North Dakota Game and Fish Department
NEPA	National Environmental Policy Act of 1969
NWR	national wildlife refuge
Program	“North Dakota Limited-interest Refuge Program”
Service	U.S. Fish and Wildlife Service
System	National Wildlife Refuge System
USFWS	U.S. Fish and Wildlife Service
WMA	wildlife management area
WMD	wetland management district
WPA	waterfowl production area

(See “Appendix B, Glossary of Terms” and “Appendix D, Key Legislation and Policies” for further terms and descriptions.)

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Summary

What is this document? This is the comprehensive conservation plan and environmental assessment for the North Dakota Limited-interest National Wildlife Refuges Program. This comprehensive conservation plan is based on the best available science (see “Appendix E, References”) and will guide the management of these 39 limited-interest refuges for the next 15 years.

What is a limited-interest refuge? The Service has limited capabilities on these refuges (see section 2.3). Most agreements include the right to manage water uses, hunting, and trapping on the refuges.

Who completed this plan? The U.S. Fish and Wildlife Service and the North Dakota Game and Fish Department, under the guidance of the Region 6, Mountain-Prairie Region, Division of Refuge Planning. This interdisciplinary team (see appendix A) spent over a year and a half planning and meeting and listening to the public’s ideas and concerns prior to preparing this document.

Why did the Service complete this comprehensive conservation plan and environmental assessment? In 1997, Congress passed the National Wildlife Refuge System Improvement Act legislation, which provides clear guidance for the management of the National Wildlife Refuge System. The act included a new statutory mission statement (see section 1.2) and directed the Service to manage the refuge system as a national system of lands and waters devoted to conserving wildlife and maintaining biological integrity of ecosystems.

In order to support and fulfill this mission, this act also required that by 2012, the U.S. Fish and Wildlife Service will have developed a comprehensive conservation plan for each national wildlife refuge in the System at the time of the act. This includes these 39 refuges in this comprehensive conservation plan.

Why did you address 39 refuges in one plan? These refuges are unique among all other national wildlife refuges. Even though the North Dakota Limited-interest Refuge

Program began almost 70 years ago, today 99 percent of the lands within the approved acquisition boundaries remain in private ownership. The Service has limited capabilities on these refuges (see section 2.3) and the habitat is similar amongst these refuges. In particular, most have a water feature, such as a lake, river, or impoundment, which was a major focus of the limited-interest refuge agreement and designated boundaries. No approved guidelines have been established for managing this program. Given these facts, the planning team felt it was more effective to address the issues and future of these refuges as a program through a programmatic comprehensive conservation plan rather than as individual plans.

Where are these refuges located? All but two (Lake Patricia and Pretty Rock NWRs) of the 39 refuges are located east of the Missouri River from the Canadian to South Dakota Borders (see figure 2).

How large are these refuges? They range in size from 160 acres (Half Way Lake) to 5,500 acres (Rock Lake). There are 47,296 acres of limited-interest refuge acres within the 54,140-acre approved acquisition boundaries. The approved acquisition boundaries were established by executive order or other legislation in the 1930s and 1940s. Not all acres within this approved acquisition boundary are covered by a Service limited-interest refuge.

What is the history and purpose of the North Dakota Limited-interest Refuge Program? The North Dakota Limited-interest Refuge Program began in the 1930s, in response to the many crises of the “Dust Bowl Era.” Working with states and private landowners, Roosevelt established the North Dakota Limited-interest Refuge Program for purpose of “drought relief, water conservation, and for migratory bird and wildlife conservation.” Hundreds of landowners agreed to place their lands under this program, most perpetual, for these conservation purposes. Dozens of easement agreements were signed by landowners in North Dakota.

The economic crisis of this era was also addressed through this program. Local

communities were put back to work through the Works Progress/Project Administration and Civilian Conservation Corps, federal job programs used to build structures to impound and control water on these limited-interest refuge lands. This water provided landowners with critical stock water while migrating waterfowl and other waterbirds benefited from this reliable water source and sanctuary.

Although most were perpetually protected, a new status was given to these lands in the late 1930s and '40s. Refuge lands in close proximity were combined and designated as Migratory Bird Sanctuaries (later changed to national wildlife refuges) under the authorities of executive orders and conservation laws.

What is the vision for the North Dakota Limited-interest Refuge Program?

Since our Nation's beginning, great flocks of wildfowl—ducks, geese and waterbirds—provided sights and sounds, food and feather. These wings of migration not only inspired hunters but some of our greatest artists, photographers, and poets. In the 1930s, much of the United States, including North Dakota, was gripped by a devastating drought and depression. Hot winds that dried crops also dried wetlands. Wildfowl numbers plummeted, and the skies grew quiet.

Americans took this crisis and saw opportunity and a great partnership was formed. Conservation leaders, the State of North Dakota, the federal government, and private landowners laid the foundation for what would become the North Dakota Limited-interest Refuge Program. This Program addressed both wildlife conservation and economic needs. The Works Progress/Program Administration and Civilian Conservation Corps brought jobs to the communities building dams and other structures to create water areas that now provide habitat and sanctuary for waterfowl and other migratory birds.

Through cooperation with the current refuge landowners and other conservation partners, the Program will realize its full potential. It will become a premier example of private land partnerships promoting fish and wildlife conservation, supporting other conservation programs while continuing to serve as sanctuaries for international migratory birds.

What goals does the Service hope to accomplish to achieve this vision?

Goal 1. Wetland Habitat: Maintain and manage natural and created wetlands within the approved acquisition boundary to provide habitat for international populations of waterfowl and other migratory birds along with other wetland-dependent wildlife.

Goal 2. Upland Habitat: Establish a land protection program within the approved acquisition boundary to maintain, restore, and enhance uplands to provide habitat for international populations of waterfowl, other migratory birds, and other wildlife.

Goal 3. Partnerships: Foster beneficial landowner, community, and regional partnerships to assist in achieving the Program vision while ensuring 100 percent of all partners gain a greater understanding of the management and resources of the limited-interest refuges.

Goals 4. Visitor Services: Where compatible, and in cooperation with willing landowners, allow public fishing, hunting, trapping, and other high quality wildlife-dependent recreation opportunities that foster an appreciation and understanding of the management and resources of the North Dakota Limited-interest Refuge Program and the National Wildlife Refuge System.

Goal 5. Administration: Secure and effectively utilize funding, staffing, and partnerships to ensure the Program meets its full potential of habitat protection and visitor use.

Will any of the actions proposed in this plan be completed without landowner concurrence?

No action outside the authority of the limited-interest refuge agreement as outlined in section 2.3 of this document will be conducted without full coordination and cooperation of willing landowners. If a landowner does not wish to participate in a program outside the authority of the limited-interest refuge agreement, the landowner may do so without retribution and may, at any time, contact the Service should the landowner change his or her mind.

What alternatives did the Service evaluate?

The no-action alternative (current management) and the preferred alternative

(enhance the program). Because there have never been any approved guidelines for this program and these refuges, the only viable action that could be considered in this programmatic CCP is some form of enhancement, as outlined below and in chapter 6.

What are some of the key actions outlined in the preferred alternative?

- Divestiture of six refuges due to significant loss of biodiversity and ownership patterns (i.e., lands owned and/or managed for wildlife by another federal or state agency). These refuges include:
 - Bone Hill NWR—significant loss of biodiversity and development
 - Camp Lake NWR—significant loss of biodiversity and development
 - Cottonwood Lake NWR—significant loss of biodiversity and development
 - Lake Patricia—majority of lands owned/managed by the state
 - Sheyenne Lake NWR—owned/managed by Bureau of Reclamation
 - School Section Lake NWR—majority of lands owned/managed by the state
- Each managing station will actively share information and engage landowners in the management of these refuges and the implementation of the final comprehensive conservation plan.
- Evaluate all existing structures and determine the maintenance and replacement needs necessary to properly manage water levels on refuge impoundments.
- Each managing station will evaluate and prioritize its limited-interest refuges to ensure the most critical wetland and upland habitats are protected.
 - Highest priority will be given to those refuges with native prairie habitat
- Work with willing landowners to provide additional compensation for

added habitat protections through various programs including conservation partner programs, compensated easement programs, and fee-title acquisitions.

- Develop partnerships with other state, federal, and conservation organizations to achieve common goals that enhance and support the North Dakota Limited-interest Refuge Program.
- Continue existing visitor services programs, where appropriate, and work with willing landowners and the North Dakota Game and Fish Department to determine if there are additional opportunities to accommodate the six priority public uses.
- Recruit one state coordinator for the North Dakota Limited-interest Refuge Program to work with landowners and oversee the implementation this comprehensive conservation plan.

Which alternative did the Service choose for the final CCP?

Alternative B (enhance the program) was selected by the regional director because it best meets the purposes for which these refuges were established and is preferable to the no-action alternative in light of physical, biological, economic, and social factors. (See “Appendix C, Decision Documents.”)

What happens next?

The Service will now begin to implement the plan and continue to do so over the next 15 years, when it will be revised. It is important to note that some of the objectives and strategies (see chapter 6) require a substantial increase in current funding. The Service will pursue these additional resources but there is no guarantee of funding increases and therefore no guarantee that all actions identified will be completed within the life of this plan. However, for the first time in 70 years, the issues that have impeded these limited-interest refuges have been elevated to all levels in the Service while giving managers the first long-term guidance for management decisions and setting priorities on these refuges.

Chapter 1. Introduction

The U.S. Fish and Wildlife Service (Service) has developed this comprehensive conservation plan (CCP) to provide a foundation for the management and use of 39 limited-interest national wildlife refuges located primarily throughout eastern North Dakota. The CCP is intended as a working guide for management programs and actions over the next 15 years.

The CCP was developed in compliance with the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act) and Part 602 (National Wildlife Refuge System Planning) of the Fish and Wildlife Service Manual. The actions described within this CCP also meet the requirements of the National Environmental Policy Act of 1969 (NEPA). Compliance with NEPA is being achieved through the involvement of the public and the inclusion of an integrated environmental assessment (EA).

When fully implemented, this CCP will strive to achieve the North Dakota Limited-interest Refuge Program (Program) vision and the purposes of each refuge. Fish and wildlife are the first priority in refuge management, and public use (wildlife-dependent recreation) is allowed and encouraged as long as permission is granted by the affected landowners and it is compatible with, or does not detract from a refuge's purpose(s).

The CCP has been prepared by a planning team composed of representatives from various Service programs, including Refuges and Realty, and the North Dakota Game and Fish Department (NDGF). In developing this plan, the planning team has incorporated the input of the landowners who own most of these refuge lands and local citizens and organizations. This public involvement and the planning process itself are described in section 1.5, "The Planning Process."

After reviewing a wide range of public comments and management needs, the planning team developed the preferred alternative. This action will attempt to address

all significant issues while determining how best to achieve the intent and purposes of the Program. The preferred alternative is the Service's recommended course of action for the future management of these refuges, and is embodied in this CCP.

1.1 Purpose and Need for Plan

The purpose of this CCP is to identify the role that the Program will play in support of the mission of the National Wildlife Refuge System (System), and to provide long-term guidance for managing refuge programs and activities. The CCP is needed:

- To build relationships with the landowners and communicate with the general public and other partners in efforts to carry out the mission of the System.
- To provide a clear statement of direction for the future management of the Program;
- To provide landowners, neighbors, visitors, and government officials with an understanding of the U.S. Fish and Wildlife Service's management actions on and around these refuges;
- To ensure that the Service's management actions are consistent with the mandates of the Improvement Act;
- To ensure that the management of these refuges is consistent with federal, state, and county plans; and
- To provide a basis for the development of budget requests for the Program's operation, maintenance, and capital improvement needs.

Sustaining our Nation's fish and wildlife resources is a task that can be accomplished only through the combined efforts of governments, businesses, and private citizens.

1.2 The U.S. Fish and Wildlife Service and the National Wildlife Refuge System

The U.S. Fish and Wildlife Service

The mission of the U.S. Fish and Wildlife Service, working with others, is to conserve, protect, and enhance fish and wildlife and their habitats for the continuing benefit of the American people.

Over a hundred years ago, America's fish and wildlife resources were declining at an alarming rate. Concerned citizens, scientists, and hunting and angling groups joined together to restore and sustain our national wildlife heritage. This was the genesis of the U.S. Fish and Wildlife Service.

Today, the Service enforces federal wildlife laws, manages migratory bird populations, restores nationally significant fisheries, conserves and restores vital wildlife habitat, protects and recovers endangered species, and helps other governments with conservation efforts. It also administers a federal aid program that distributes hundreds of millions of dollars to states for fish and wildlife restoration, boating access, hunter education, and related programs across America.

The Service is the managing agency of the Program along with the rest of the System, thousands of waterfowl production areas (WPA), and other special management areas. It also operates 66 national fish hatcheries and 78 ecological services field stations.

Service Activities in North Dakota

Service activities in North Dakota contribute to the state's economy, ecosystems, and education programs. The following lists the Service's presence and activities in North Dakota, reported in 2005:

- The Service employs 201 people.
- Over 14,245 hours were donated by 623 volunteers to help Service projects.
- There are two national fish hatcheries and one fish and wildlife management assistance office.
- Sixty-five national wildlife refuges encompass 342,799 acres (0.8 percent of the state).

- There are 12 wetland management districts.
 - Fee waterfowl production areas cover 284,317 acres (0.6 percent of the state).
 - There are 1,046,358 wetland acres (2.4 percent of the state) under various leases or easements, including these limited-interest refuges.
- Service-managed lands hosted more than 394,063 visitors—
 - 152,160 hunting visits
 - 142,281 wildlife observation visits
 - 83,650 fishing visits
 - 2,360 trapping visits
 - Over 51,000 students participated in environmental education programs.
- The Service provided \$3.3 million to NDGF for sport fish restoration and \$3.4 million for wildlife restoration and hunter education.
- Since 1987, the Partners for Wildlife program has helped private landowners restore over 21,008 acres on 3,351 sites and 170,217 acres on 1,113 sites; and 47.8 miles of river.
 - The Service employs 11 program managers for Partners for Wildlife in the state.
- The Service paid North Dakota counties more than \$352,271 under the Refuge Revenue Sharing Act; funds were used for schools and roads.

The National Wildlife Refuge System

In 1903, President Theodore Roosevelt designated the 5.5-acre Pelican Island in Florida as the nation's first wildlife refuge for the protection of brown pelicans and other native nesting birds. This was the first time the federal government set aside land for the sake of wildlife. This small but significant designation was the beginning of the System. One hundred years later, this System has become the largest collection of lands in the world specifically managed for wildlife, encompassing over 96 million acres within 544 refuges and over 3,000 small areas for waterfowl breeding and nesting. Today, there is at least one refuge in every state in the nation including Puerto Rico and the U.S. Virgin Islands.

In 1997, a clear mission was established for the System through the passage of the Improvement Act. That mission is:

to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

The Improvement Act further states that each refuge shall be managed:

- to fulfill the mission of the System;
- to fulfill the individual purposes of each refuge;
- to consider the needs of fish and wildlife first;
- to fulfill the requirement of developing a CCP for each unit of the System, and fully involve the public in the preparation of these plans;
- to maintain the biological integrity, diversity, and environmental health of the System;
- to recognize that wildlife-dependent recreation activities including hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation, are legitimate and priority public uses; and
- to retain the authority of refuge managers to determine compatible public uses.

In addition to the overall mission for the System, the wildlife and habitat vision for each national wildlife refuge stresses the following principles:

- Wildlife comes first.
- Ecosystems, biodiversity, and wilderness are vital concepts in refuge management.
- Refuges must be healthy.
- Growth of refuges must be strategic.
- The System serves as a model for habitat management with broad participation from others.

Following passage of the Improvement Act, the Service immediately began efforts to carry out

the direction of the new legislation, including the preparation of CCPs for all refuges. The development of these plans is now ongoing nationally. Consistent with the Improvement Act, all refuge CCPs are being prepared in conjunction with public involvement, and each refuge is required to complete its own CCP within the 15-year schedule (by 2012).

People and the National Wildlife Refuge System

Our fish and wildlife heritage contributes to the quality of our lives and is an integral part of our nation's greatness. Wildlife and wild places have always given people special opportunities to have fun, relax, and appreciate our natural world.

Whether through bird watching, fishing, hunting, photography, or other wildlife pursuits, wildlife recreation also contributes millions of dollars to local economies. In 2002, approximately 35.5 million people visited a national wildlife refuge, mostly to observe wildlife in their natural habitats. Visitors are most often accommodated through nature trails, auto tours, interpretive programs and hunting and fishing opportunities. Significant economic benefits are being generated to the local communities that surround the refuges. Economists have reported that national wildlife refuge visitors contribute more than \$792 million annually to local economies.

1.3 National and Regional Mandates

Refuges are managed to achieve the mission and goals of the System and the designated purpose of the refuge unit as described in establishing legislation or executive orders, or other establishing documents. Key concepts and guidance of the System are provided in the Refuge System Administration Act of 1966 (P.L. 87-714), Title 50 of the Code of Federal Regulations, the Fish and Wildlife Service Manual and, most recently, through the Improvement Act.

The Improvement Act amends the Refuge System Administration Act by providing a unifying mission for the System, a new process for determining compatible public uses on refuges, and a requirement that each refuge will be managed under a CCP. The Improvement Act states that wildlife conservation is the priority of System lands and that the Secretary of the Interior will

ensure that the biological integrity, diversity and environmental health of refuge lands are maintained. Each refuge must be managed to fulfill the System's mission and the specific purposes for which it was established. The Improvement Act requires the Service to monitor the status and trends of fish, wildlife, and plants in each refuge. A list of other laws and executive orders that may affect the CCP or the Service's implementation of the CCP is provided in "Appendix D, Key Legislation and Policies." Service policies providing guidance on planning and the day-to-day management of a refuge are contained within the Refuge System Manual and the Service Manual.

1.4 Ecosystem Descriptions and Threats

Mississippi Headwaters–Tallgrass Prairie Ecosystem

Thirty-three refuges in this Program are located east of the Missouri River within the Mississippi Headwaters–Tallgrass Prairie Ecosystem. This ecosystem is primarily located in Minnesota, South Dakota, and North Dakota with small sections extending into Wisconsin and Iowa. This ecosystem encompasses a major portion of the Prairie Pothole Region of North America. The Prairie Pothole Region produces 20 percent of the continental waterfowl populations annually.

Historically, this portion of North America was subject to periodic glaciation; glacial meltwaters were instrumental in forming the five major river systems located or partly located within this ecosystem. These river systems are: Mississippi, St. Croix, Red, Missouri, and Minnesota. Likewise, glacial moraines and other deposits resulted in a myriad of lakes and wetlands common throughout this area. Significant variation in the topography and soils of the area attest to the ecosystem's dynamic glacial history.

The three major ecological communities within this ecosystem are the tallgrass prairie, the northern boreal forest, and the eastern deciduous forest. Grasses common to the tallgrass prairie include big bluestem, little bluestem, Indian grass, sideoats grama, and switch grass. Native tallgrass prairie also supports ecologically important forbs such as prairie cone flower, purple prairie clover, and blazing star. The northern boreal forest ecological community comprises a variety of

coniferous species such as jack pine, balsam fir, and spruce. Common tree species in the eastern deciduous forest ecological community include maple, basswood, red oak, white oak, and ash. Current land uses range from tourism and timber industries in the northern forests to intensive agriculture in the historic tallgrass prairie. Of the three major ecological communities, the tallgrass prairie is the most threatened with more than 99 percent of it having been converted for agricultural purposes.

Due to its ecological and vegetative diversity, the Mississippi Headwaters–Tallgrass Prairie Ecosystem supports at least 121 species of neotropical migrants and other migratory birds. It provides breeding and migration habitat for significant populations of waterfowl plus a variety of other waterbirds. The ecosystem supports several species of candidate and federally listed threatened and endangered species including the bald eagle, piping plover, Higgins eye pearly mussel, Karner blue butterfly, prairie bush clover, Leedy's roseroot, dwarf trout lily, and the western prairie fringed orchid. The increasingly rare paddlefish and lake sturgeon are also found in portions of this ecosystem.

There has been no prior planning or establishment of headwaters focus areas in the Mississippi Headwaters–Tallgrass Prairie Ecosystem.

Hudson Bay Ecosystem (part of the Missouri Main Stem River Ecosystem)

Lake Patricia and Pretty Rock National Wildlife Refuges are located within a portion of the Missouri Main Stem River Ecosystem identified as the Hudson Bay Ecosystem. This ecosystem includes portions of the Missouri River and Hudson Bay watersheds. An initial Ecosystem Management Plan developed by the Ecosystem Team identified four focus areas needing the highest priority for protection and evaluation; wetlands, the Missouri River, native prairies, and riparian areas. Priorities were based on significance in the ecosystem, species diversity, risk and/or threat to the entire focus area, public benefits, international values, and trust resources. Although a detailed analysis of habitats, threats, and priorities for this ecosystem has not been completed, a vision and set of goals and objectives have been developed for each of these focus areas. The overall threats and visions for each focus area include:

Wetlands

Threats: The glaciated prairies on North and South Dakota and northeastern Montana cover approximately 60 million acres. Once a myriad of prairie pothole wetlands in a sea of native prairie, the area is now the “bread basket” of the country and intensively farmed. Drainage, for agricultural purposes has reduced 7.2 million acres of wetlands by over 40 percent to 3.9 million acres.

Vision: Diverse, wetland habitats and watersheds that provide an abundance and diversity of native flora and fauna in the ecosystem for the benefit of the American public.

Missouri River

Threats: The Missouri River is vastly different from the “untamed” flood plain system of even 50 years ago. Originating in the Rocky Mountains of south-central Montana, the river flows 2,300 miles, traversing seven states and passing through seven mainstem dams built and maintained by the federal government. Over 900 miles (nearly 60 percent) of the former upper river passing through Montana, North Dakota, South Dakota, and Nebraska now lie under permanent multi-purpose reservoirs. As the Missouri River changed, so did the wildlife communities that depend on it. Currently 8 fishes, 15 birds, 6 mammals, 4 reptiles, 6 insects, 4 mollusks, and 7 plants native to the ecosystem are listed as either threatened or endangered or are under status review for possible listing.

Vision: A healthy Missouri River capable of self-sustaining fish and wildlife resources.

Native Prairie

Threats: Native Prairie in the Missouri Main Stem River Ecosystem consists of tall grass, mid-grass, and short grass prairies from the eastern Dakotas to the west. Although the plant and wildlife species differ across the gradation from tall to short grass, the threats and issues remain the same—conversion of prairie to other uses. The west river area of North Dakota has lost approximately 60 percent of the original 34 million acres of native prairie due to agricultural conversion.

Vision: Protect, restore and maintain ecosystem native prairie and other grasslands

to ensure its diversity and abundance of native flora and fauna.

Riparian Areas

Threats: Riparian areas make up a small portion of the habitat in the Hudson Bay (Missouri Main Stem River) Ecosystem. However, riparian and riverine wetland habitats are more important than other focus areas to fish and wildlife resources including migratory birds, threatened and endangered species, native fish, rare and declining fisheries, amphibians and many mammals. Riparian habitats provide for much of the biodiversity in the ecosystem. Many of the species currently occurring in the ecosystem would be eliminated without healthy riparian areas. Sedimentation, contamination, invasive species, and development threaten the health of this diverse habitat.

Vision: Healthy riparian and flood plain ecosystems that provide an abundance and diversity of indigenous flora and fauna.

1.5 The Planning Process

This CCP and EA for the 39 limited-interest refuges and the Program are intended to comply with the Improvement Act, NEPA, and the implementing regulations of the acts. The Service issued a final refuge planning policy in 2000 that established requirements and guidance for System planning, including CCPs and step-down management plans, ensuring that planning efforts comply with the provisions of the Improvement Act. The planning policy identified several steps of the CCP and EA process (see figure 1):

- Form a planning team and conduct pre-planning (see “Appendix A, Consultation and Coordination”)
- Initiate public involvement and scoping
- Draft vision statement and goals
- Develop and analyze alternatives, including the preferred alternative
- Prepare draft CCP and EA
- Prepare and adopt final CCP and EA and issue a finding of no significant impact (FONSI) or determine if an environmental impact statement is needed.
- Implement CCP, monitor and evaluate

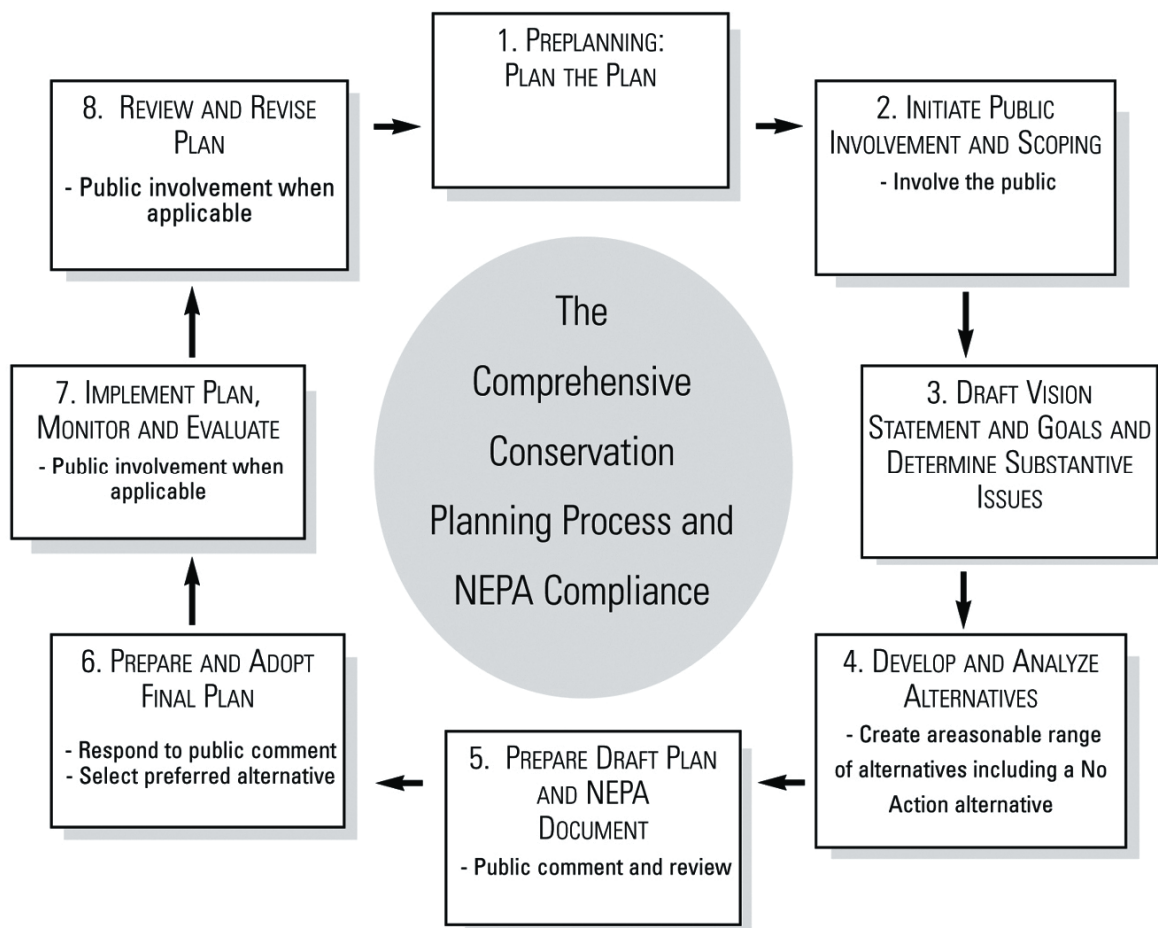


Figure 1. The steps in the CCP process

- Review every 5 years and revise CCP every 15 years

This is a dynamic process that may require revisiting various steps. Nevertheless, the first step to developing this Program was determining the criteria for including limited-interest refuges in this CCP. Although there are other limited-interest refuges in North Dakota and other states, including South Dakota and Montana, the 39 refuges covered in the CCP were selected based on the following criteria:

- Refuge is located within North Dakota
- Less than 15 percent of the refuge acres are fee-title national wildlife refuge acres, the remainder are in private ownership or are WPAs.

Refuges with significant amounts of fee-title NWR acres were excluded from this CCP based on their significantly greater management capabilities. These refuges will be addressed in separate planning efforts. The WPAs within and adjacent to these refuge boundaries will be addressed in future WMD CCPs for the managing station.

The Service began the pre-planning process in December 2003. A planning team of Service personnel from each of the six managing stations, Division of Realty and Refuges, and NDGF, was developed shortly after an initial kickoff meeting. Draft issues and qualities were developed and updated over a course of several meetings. During pre-planning, several items were addressed including developing a mailing list and determining the rights the Service purchased with the limited-interest refuge agreements.

Over the course of pre-planning and scoping, the planning team collected available information about the resources of the limited-interest refuges and the surrounding areas. This information is summarized under “Chapter 4, Affected Environment.”

Due to the number of refuges in this planning effort, this CCP became more of a programmatic CCP than the more traditional management CCP. This CCP provides long-term guidance for management decisions; sets forth goals, objectives, and strategies needed to accomplish refuge purposes; and identifies the Service’s best estimate of future needs.

This CCP details Program planning levels that are sometimes substantially above current budget allocations and, as such, are primarily for Service strategic planning purposes. This CCP does not constitute a commitment for staffing increases, operational and maintenance increases, or funding for future land acquisition.

Public scoping began in March 2004 with the initial contact of the 225 refuge landowners. A Notice of Intent to prepare and EA was published in the Federal Register on July 2, 2004.

Coordination with the Landowners and Other Publics

The planning team ensured that the first stakeholders to be contacted during scoping were landowners of limited-interest refuges. A mailing list of over 225 names was created and included private citizens, the North Dakota State Land and Game and Fish Departments, and the Bureau of Reclamation (BOR). In May 2004, a personal letter was sent to each landowner introducing them to the CCP process and providing history on the Program. Each was invited to participate in the process and to offer comments. The initial response was minimal. In early July 2004, a newsletter was mailed to each landowner and over 460 additional individuals and organizations (over 700 total). Information was provided on the history of the Program and the CCP process along with a schedule of and invitation to upcoming open houses. Open houses also were announced in 37 local newspapers.

A total of 19 open houses were held between July 14, 2004 and September 16, 2004. At the start of each meeting, the CCP planner or the

refuge personnel gave a presentation on the history of the Program along with an overview of the CCP/NEPA process. Attendees were encouraged to ask questions and offer comments. Attendees were invited to submit additional thoughts or questions in writing and each was given a two-page comment form to complete. The turnout was mixed, from no attendees to 19 individuals at a single-refuge meeting. In addition to scoping meetings, postage-paid comment forms were sent to everyone on the mailing list (over 700 individuals), with a September 30 response deadline. Forty-six written comments were received. Input obtained from all of these meetings and correspondence was considered in developing this CCP.

State Coordination

The North Dakota Game and Fish Department’s mission is to “protect, conserve, and enhance fish and wildlife populations and their habitats for sustained public consumptive and nonconsumptive uses.” Overall, the NDGF is responsible for managing natural resource lands owned by the state in addition to enforcement responsibilities for the state’s migratory birds and endangered species resources. The state currently manages over 78,000 acres in support of wildlife, recreation, and fisheries.

In January 2004, an invitation letter to participate in the CCP process was sent by the Region 6 regional director to the Director of the NDGF. Local NDGF wildlife managers and the refuge staffs maintain excellent and ongoing working relations that precede the start of the CCP process. An NDGF representative is part of the core CCP planning team and has been participating in most of the workshops. In addition to the NDGF, all relative federal, state (see below), and county representatives, including all county chairpersons, were provided a newsletter introducing them to this Program and welcoming their comments.

Elected officials were initially contacted by the North Dakota Refuge Coordinator by telephone and mail about the CCP in January 2004. They were contacted again through a newsletter that outlined the public scoping meeting schedule.

The 39 refuges are dotted across 23 counties encompassing 26 state legislative districts (see table 1). In July 2004, district senators and

representatives were sent an informational newsletter inviting them to the open houses. In addition to these districts, an additional 15 adjoining state districts were contacted and provided the same information, for a total of 42 legislative districts represented by 42 senators and 84 representatives.

Tribal Coordination

On June 10, 2004, six Native American Tribal governments in North and South Dakota (Sisseton-Wahpeton Sioux, Spirit Lake Tribal Council, Standing Rock Sioux, Three Affiliated Tribes, Fort Peck Tribal Executive Board, and the Turtle Mountain Band of Chippewa) were contacted through a letter signed by Service regional director. The letter gave information about the upcoming CCP and invited recipients to serve on the core team. The Service received one inquiry from the Chairman of the Turtle Mountain Band of Chippewas. After receiving clarification on the CCP, the Chairman wished

to continue receiving correspondence, but felt the planning area would not be of interest to his tribal members.

Results of Scoping

Table 2 summarizes all scoping activities. Comments collected from scoping meetings and correspondence, including comment forms, were used in the development of a final list of issues that need to be addressed in the CCP. The planning team determined which alternatives could best address these issues. The preferred alternative formed the basis for the objective and strategies to achieve the goals developed by the planning team. This process ensures that those issues that have the greatest impact on the Program are resolved or given priority over the life of this plan. Identified issues along with some discussion of their impacts to the resource are summarized in chapter 2.

Table 1. North Dakota counties and legislative districts by refuge

<i>County</i>	<i>Population (2002)</i>	<i>Legislative Districts</i>	<i>Refuges in County/District</i>
Barnes	11,224	6	Hobart Lake, Stoney Slough, and Tomahawk NWRs
Benson	6,873	7 and 23	Pleasant Lake, Silver Lake, and Wood Lake NWRs
Bottineau	6,893	6	Lords Lake NWR (also Rolette County)
Burleigh	70,937	8, 14, 30, 32, 35, and 47	Canfield Lake NWR
Dickey	5,554	26 and 28	Dakota Lake and Maple River NWR
Eddy	2,627	23 and 29	Johnson Lake NWR
Emmons	4,087	28	Springwater, Sunburst Lake, and Appert Lake NWRs
Grand Forks	64,929	17, 19, and 43	Little Goose NWR
Grant	2,689	31	Pretty Rock NWR
Griggs	2,599	23	Sibley Lake NWR
Kidder	2,591	14	Hutchinson Lake and Lake George NWRs
Lamoure	4,569	26, 28, and 29	Bone Hill NWR
McHenry	5,739	7	Cottonwood Lake and Wintering River NWRs
McLean	9,014	4 and 8	Camp Lake, Hiddenwood, Lake Otis, and Lost Lake NWRs
Morton	25,181	31, 33, 34, and 36	Lake Patricia NWR
Nelson	3,464	23	Lambs Lake, Rose Lake, and Johnson Lake (Eddy) NWRs
Pierce	4,525	7	Buffalo Lake NWR
Ramsey	11,746	15	Silver Lake NWR (also Benson County)
Rolette	13,760	9	Rabb Lake, School Section Lake, and Willow Lake NWRs
Sheridan	1,572	7 and 14	Sheyenne Lake NWR
Stutsman	21,388	12 and 29	Half Way NWR
Towner	2,712	10 and 15	Brumba, Rock Lake, and Snyder Lake NWRs
Walsh	11,891	16	Ardoch NWR

Source: Office of Social and Economic Trend Analysis 2002; North Dakota Legislative Branch 2005.

Table 2. North Dakota limited-interest refuges planning process summary

<i>Date</i>	<i>Event</i>	<i>Outcome</i>
<i>Dec. 11–12, 2003</i>	Initial meeting with proposed planning team	CCP overview, planning team finalized, purposes identified, initial issues and qualities list, initiate development of mailing list
Feb. 10–11, 2004	Kickoff meeting	Initiate rights discussion, revise issues and qualities list, biological needs identified, plan public scoping
Feb. 19, 2004	Service's rights discussion with regional office leadership	Develop a position paper for the planning team to review on the Service rights on these limited-interest refuges
March 30, 2004	Finalize rights position	Developed a management decision on which rights the Service will control based on the easement agreement and historical records
March–May 2004	Landowners contacted	Landowner newsletter, comment forms
June 1, 2004	Public scoping planning	Open house model developed
June 29, 2004	Public scoping planning	Finalize scoping meeting schedules and formats
July 14, 2004	Maple River open house	Opportunity for public to learn about the CCP and provide comments
July 19, 2004	Bone Hill open house	Opportunity for public to learn about the CCP and provide comments
July 20, 2004	Silver Lake, Wood Lake, Pleasant Lake open house	Opportunity for public to learn about the CCP and provide comments
July 20, 2004	Rose Lake, Lambs Lake, and Little Goose open house	Opportunity for public to learn about the CCP and provide comments
July 20, 2004	Cottonwood Lake, Wintering River and Buffalo Lake open house	Opportunity for public to learn about the CCP and provide comments
July 21, 2004	Hobart Lake, Stoney Slough, and Tomahawk open house	Opportunity for public to learn about the CCP and provide comments
July 21, 2004	Hiddenwood open house	Opportunity for public to learn about the CCP and provide comments
July 22, 2004	Dakota Lake open house	Opportunity for public to learn about the CCP and provide comments
July 22, 2004	Lords Lake, Willow Lake, Rabb Lake, School Section Lake open house	Opportunity for public to learn about the CCP and provide comments
July 27, 2004	Brumba, Snyder Lake, and Rock Lake open house	Opportunity for public to learn about the CCP and provide comments
July 27, 2004	Sheyenne Lake open house	Opportunity for public to learn about the CCP and provide comments
July 27, 2004	Ardoch Lake open house	Opportunity for public to learn about the CCP and provide comments
July 27 and 28, 2004	Appert, Canfield, and Hutchinson Lakes, Lake George, Springwater, Sunburst Lake open house	Opportunity for public to learn about the CCP and provide comments
July 28, 2004	Johnson Lake and Sibley Lake open house	Opportunity for public to learn about the CCP and provide comments
July 29, 2004	Lost Lake open house	Opportunity for public to learn about the CCP and provide comments
Aug. 10, 2004	Halfway Lake meeting	Meet with Half Way Lake landowners, discuss CCP
Aug. 11, 2004	Lake Patricia open house	Opportunity for public to learn about the CCP

Table 2. North Dakota limited-interest refuges planning process summary

<i>Date</i>	<i>Event</i>	<i>Outcome</i>
Sept. 16, 2004	Second Dakota Lake open house	Second opportunity for the public to provide comments about Dakota Lake refuge and the CCP
Dec. 6–7, 2004	Vision, goals, and alternatives workshop	Developed a vision statement, goals, and discussed alternatives for the CCP
Feb. 7–8, 2005	Objectives and strategies workshop	Drafted a set of objectives and strategies for the proposed action
March–April 2005	Prepare draft plan	Planning team prepared first draft of the combined environmental assessment and plan
May 2005	Planning team reviews plan	Planning team reviewed first draft of the CCP and provided comments
July 2005	Internal review of CCP	Service staff from other divisions review draft CCP
August–Sept. 2005	Prepare outreach plan	Conduct outreach with Service partners regarding various issues addressed in the draft CCP
September 23, 2005	Camp Lake landowners meeting	Update the Camp Lake NWR on the progress of the draft CCP to date
October 4, 2005	Publish NOA and release draft plan to the public	Public began reviewing draft CCP
October 12, 2005	Arrowwood District public meetings, Valley City, ND	Present draft CCP and collect public comments
October 18, 2005	Devils Lake (Devils Lake, ND) and Arrowwood District (Henry, ND) public meetings	Present draft CCP and collect public comments
October 25, 2005	Kulm District public meeting, Oakes, ND	Present draft CCP and collect public comments
October 26, 2005	J.Clark Salyer District public meeting, Upham, ND	Present draft CCP and collect public comments
October 27, 2005	Long Lake District public meeting, Moffitt, ND	Present draft CCP and collect public comments
December 2, 2005	Public review ends	All comments are compiled and provided to planning team
December 7, 2005	Planning team reviews public comments	Planning team discussed public comments and recommended changes to the document
December 12, 2005	Brief regional director	Provide a summary of public comments for Directors review
January 2006	Brief Washington Office and edit document	Respond to public comments in the document and make necessary changes. Provide Washington Office a briefing on the public's response to the draft CCP and the Service's response.
April 6, 2006	Final Internal Review Ends	Final one-week internal review for Service staff
April 14, 2006	FONSI signed by regional director	Preferred alternative is selected and became the management direction for the final CCP

Chapter 2. The North Dakota Limited-interest Refuge Program

2.1 Establishment of the Program

In the 1930s, the United States was faced with a depression, a massive drought, and declining waterfowl and other wildlife populations. To address these crises, the federal government developed the Program. Working with states and private landowners, beginning in 1935, dozens of limited-interest refuge agreements were signed. These refuge and flowage easements (see section 2.4 for more information), most perpetual, were established for the purposes of 1) water conservation, 2) drought relief, 3) migratory bird and wildlife conservation purposes.

The economic crisis was also addressed through this Program. The Works Progress/Programs Administration and Civilian Conservation Corps programs provided jobs in the local communities to build the structures needed to impound and control water levels. This reliable water source was not only critical to wildlife but to the livelihood of the landowners and their agricultural operations.

Although most were perpetually protected, a new status was given to these lands in the late 1930s and 1940s. Refuge lands in close proximity were combined, establishing an approved acquisition boundary, and designated as Migratory Bird Sanctuaries (later changed to national wildlife refuges) under the authorities of executive orders and conservation laws. To this day, 93 percent of these lands still remain in private ownership making them unique among the more than 540 national wildlife refuges.

Since this Program was established, it has played a vital role in the recovery and protection of water resources and the waterfowl and other wildlife that depend on these areas. However, these refuges need to be re-evaluated to determine which can truly function as national wildlife refuges as

prescribed in the Improvement Act. This should be accomplished through this CCP and future planning efforts.

2.2 Current Status of the Program

The North Dakota Limited-interest National Wildlife Refuges encompass 47,296 limited-interest refuge acres within the boundaries of 39 individual refuges ranging in size from 160 acres (Half Way Lake NWR) to 5,506 acres (Rock Lake NWR). The approved acquisition boundary for these refuges totals 54,140 acres (see figure 2 for locations of these refuges).

Six different managing stations are responsible for this Program including Arrowwood NWR Complex, Audubon NWR Complex, Devils Lake WMD, J. Clark Salyer NWR Complex, Kulm WMD, and Long Lake NWR Complex. Table 3 provides a breakdown of refuges managed by station. Most of these refuges are located east of the Missouri River except for two, Lake Patricia NWR and Pretty Rock NWR. All refuges have an overriding purpose of providing habitat for migratory birds.

No staff or funding is dedicated to this Program. Historically, management has been incidental to the station's other funded programs. Currently no volunteers or Friends Groups assist the Program.

The Limited-interest Refuge Program is not part of the more well-known grassland and wetland easement refuge programs.

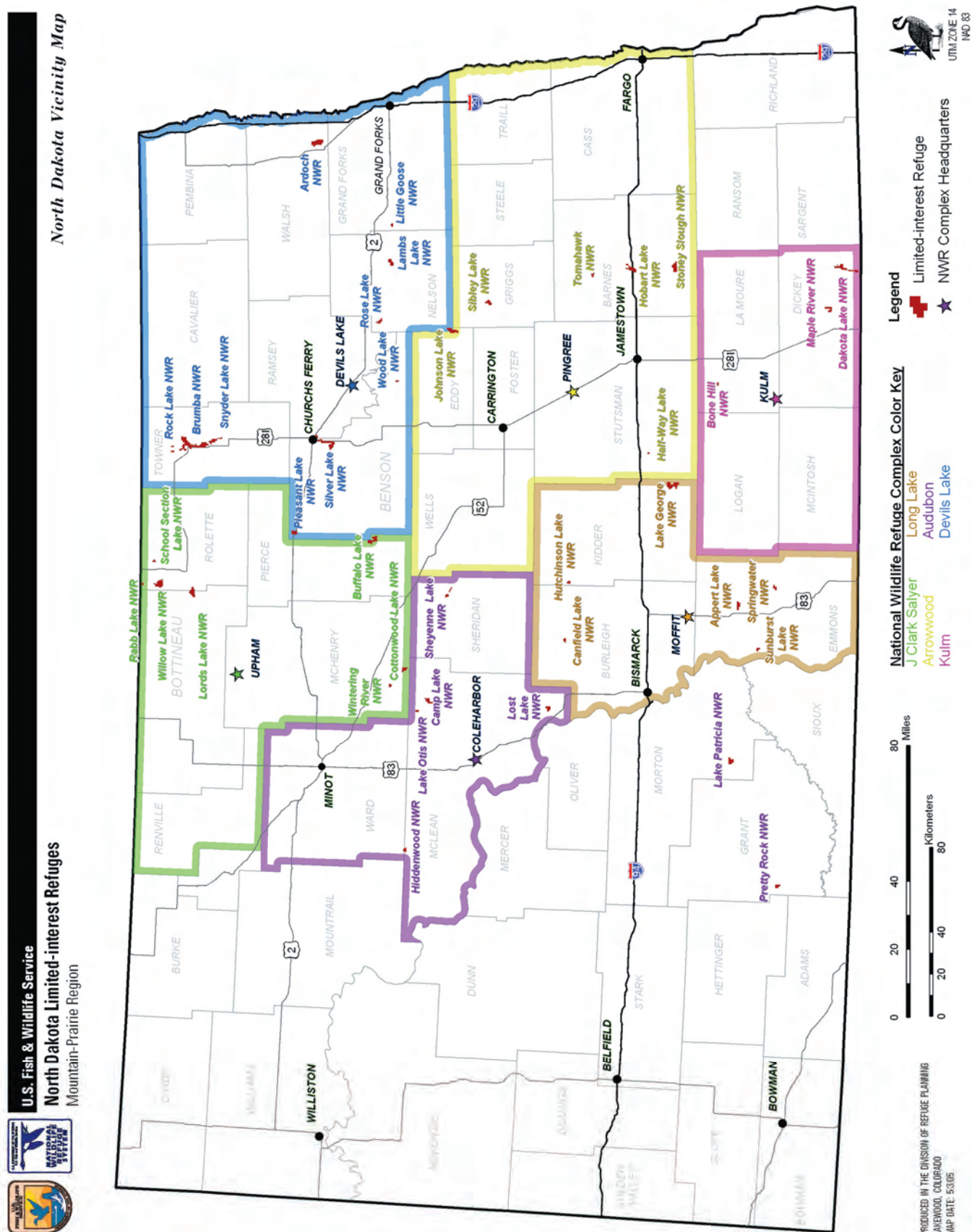


Figure 2. Location Map

Table 3. List of refuges by managing station

<i>Complex Headquarters</i>	<i>Limited-interest Refuge</i>	<i>Limited- interest Refuge Acres</i>	<i>NWR Fee Acres</i>	<i>Total Acres</i>	<i>Approved Acquisition Boundary</i>	<i>WPA Acres</i>	
						<i>Within Approved Acquisition Boundary</i>	<i>Adjacent</i>
Arrowwood NWR Complex 6 Refuges 6,392 Total Limited-interest Refuge Acres 7,445 Approved Acquisition Boundary Acres [†]	Half Way Lake	160.00	0	160.00	160.00	0	0
	Hobart Lake	1,831.21	245.89	2,077.10	1,840.00	0	0
	Johnson Lake	2,003.42	4.49	2,007.91	1,928.00	0	0
	Sibley Lake	1,077.40	0	1,077.40	1,077.00	81	496
	Stoney Slough	880.00	0	880.00	2,000.00	1,120	440
	Tomahawk	440.00	0	440.00	440.00	0	0
Audubon NWR Complex 7 Refuges 4,831 Total Limited-interest Refuge Acres 6,888 Approved Acquisition Boundary Acres [†]	Camp Lake	584.70	0	584.70	1,212.44	0	0
	Hiddenwood	568.35	0	568.35	568.00	0	0
	Lake Otis	320.00	0	320.00	640.00	0	0
	Lake Patricia	800.23	0	800.23	1,434.23	0	0
	Lost Lake	960.21	0	960.21	960.00	0	0
	Pretty Rock	800.00	0	800.00	800.00	0	0
	Sheyenne Lake	797.30	0	797.30	1,273.00	0	0
Devils Lake WMD 10 Refuges 18,099 Total Limited-interest Refuge Acres 19,700 Approved Acquisition Boundary Acres [†]	Ardoch	2,388.50	307.63	2,696.13	2,980.00	0	0
	Brumba	1,977.48	0	1,977.48	1,977.48	0	0
	Lambs Lake	1,026.67	0	1,026.67	1,318.00	80	0
	Little Goose	288.41	0	288.41	359.04	71	0
	Pleasant Lake	897.80	0	897.80	1,020.00	103	0
	Rock Lake	5,505.96	0	5,505.96	5,587.00	0	0
	Rose Lake	836.30	0	836.30	1,280.00	0	134
	Silver Lake	3,347.64	0	3,347.64	3,348.00	0	0
	Snyder Lake	1,550.18	0	1,550.18	1,550.18	0	0
	Wood Lake	280.00	0	280.00	280.00	0	0
J. Clark Salyer NWR Complex 7 Refuges 7,886 Total Limited-interest Refuge Acres 9,221 Approved Acquisition Boundary Acres [†]	Buffalo Lake	1,539.92	23.80	1,563.72	2,105.00	0	0
	Cottonwood Lake	1,013.47	0	1,013.47	1,013.00	0	0
	Lords Lake	1,915.29	0	1,915.29	1,915.22	0	0
	Rabb Lake	260.80	0	260.80	261.00	0	0
	School Section Lake	297.30	0	297.30	680.00	0	0
	Willow Lake	2,619.69	0.69	2,620.38	2,848.00	227	19
	Wintering River	239.26	0	239.26	399.12	160	106
Kulm WMD 3 Refuges 4,152 Total Limited-interest Refuge Acres 4,544 Approved Acquisition Boundary Acres [†]	Bone Hill	640.00	0	640.00	640.00	0	0
	Dakota Lake	2,799.78	0	2,799.78	2,784.00	0	0
	Maple River	712.00	0	712.00	1,120.00	408	6

Table 3. List of refuges by managing station

Complex Headquarters	Limited-interest Refuge	Limited-interest Refuge Acres	NWR Fee Acres	Total Acres	Approved Acquisition Boundary	WPA Acres	
						Within Approved Acquisition Boundary	Adjacent
Long Lake NWR Complex 6 Refuges 5,754 Total Limited-interest Refuge Acres 6,343 Approved Acquisition Boundary Acres [†]	Appert Lake	907.75	0	907.75	1,162.76	251	0
	Canfield Lake	310.13	3.10	313.23	453.00	149	631
	Hutchinson Lake	478.90	0	478.90	478.90	0	0
	Lake George	3,089.61	29.20	3,118.81	3,113.00	0	0
	Springwater	640.00	0	640.00	640.00	0	0
	Sunburst Lake	327.51	0	327.51	494.96	178	403

[†]NWR = national wildlife refuge; WPA = Waterfowl Production Area.



Rick Coleman, assistant regional director for refuges, examines a historical 1930s boundary sign found on Buffalo Lake NWR.

2.3 U.S. Fish and Wildlife Service and Landowner Rights

Since the Program was established, some have questioned what rights the government purchased from the landowners relative to the refuges. Overall, the variations in the limited-interest refuge agreements are whether the agreement was perpetual or revocable, and whether it was a flowage and/or limited-interest refuge. Most agreements include the following standard language:

The exclusive (and perpetual) right and easement to flood with water, and to maintain and operate an artificial lake, and/or to raise the water level of a natural lake or stream, upon the land

herein after described, by means of dams, dikes, fills, ditches, spillways, and other structures, for water conservation, drought relief, and for migratory bird and other wildlife conservation purposes, and/or upon said lands and waters to operate and maintain a wildlife conservation demonstration unit and a closed refuge and reservation for migratory birds and other wildlife.

The planning team needed to determine which rights the Service would regulate prior to planning the future of the Program. To make this determination, the planning team examined dozens of historical documents, correspondence, and several solicitor's opinions to better understand the intent of the Program and define such terms as "wildlife conservation demonstration unit" and "closed refuge and reservation for migratory birds."

The limited-interest refuge agreements with a flowage provision focus on the impoundment or main body of water. In the 1930s and 1940s, the federal government funded the installation of dams, dikes, spillways, and other structures to impound and manage water for water conservation and wildlife habitat. The Service also has a senior water right on 38 of the refuges. The Service's water rights to the impoundment or main body of water may be through structures or an established water right, and provide authority to manage water uses. The Service manages water uses, including fishing, boating, and water skiing, to minimize or eliminate negative impacts on

migratory birds and other wetland-dependent wildlife.

Hunting, especially market hunting, was an issue at the time the refuges were established. It was clear in the documentation that the Service was given the right to control hunting, including the right to allow it. Trapping was identified as an economic benefit of the limited-interest refuges when the Program was established. Over time, trapping has become more a recreational use than an economic use. Today, trapping has become a management tool necessary to control unnaturally high populations of predators of nesting waterfowl and other grassland birds. The Service issues special use permits to each individual trapper.

According to limited-interest refuge agreements and historical records, it appears the intent was not to control the uses that occur on the uplands or naturally occurring wetlands, apart from hunting. Many of these refuges are farmed, grazed, or have been developed. In some cases, development took place prior to the limited-interest refuge agreements, in particular, farmsteads and recreational cabins.

There is no clearly defined Service right to control activities in uplands, even though the activities may impact upland-dependent wildlife.

Some naturally occurring wetlands have a significant value to wetland-dependent wildlife. However, there appears to be no clearly defined right in the agreements or the historical records that the Service intended to control the management and uses that occur on wetlands.

The planning team developed a final list of rights and uses they felt the Service should and should not regulate based on the authority of the limited-interest refuge agreement and the intent of the Program as described in historical documents:

Uses the Service will regulate include:

- all hunting and trapping activities;
- water level management of impoundments;
- management/regulation of any activities that occur on the impoundments or main body of water to minimize or eliminate

negative impacts on migratory birds and other wetland-dependent wildlife.

Uses the Service will not regulate include:

- any development or other activities (other than hunting) that occur on the uplands;
- management of naturally occurring wetlands.

If the Service wishes to control these uses it will work with willing landowners to provide additional compensation through other programs to acquire these rights (see chapter 6 for more information).

2.4 Purposes of the Limited-interest Refuges

For this plan, the refuges are combined to evaluate them as a group and a Program. The purposes and management capabilities and challenges are similar for all 39 refuges.

All limited-interest refuges were established and are regulated by the associated refuge and/or flowage easements. Where flowage easements were acquired, the Service also filed for water rights using the process established by North Dakota law existing at the time. Even though these lands became national wildlife refuges, the refuge and/or flowage easement language (see previous section) is the overriding purpose on lands that remain in private ownership. The language of the establishing legislation is relevant only to those lands owned by the government. Information, including the refuge purpose, for each of the 39 refuges is summarized in table 4).

Starting in 1939, approved acquisition boundaries were established around adjoining limited-interest refuges and designated as Migratory Bird Sanctuaries, later renamed national wildlife refuges. The overriding purpose of these refuges is management of migratory birds.

Thirty-one refuges established under executive orders signed in 1939 by President F.D. Roosevelt: "as a refuge and breeding ground for migratory birds and other wildlife."

Seven refuges established in 1948 under a precursor to the Fish and Wildlife Coordination Act (August 14, 1946, 60, Stat. 1080): "shall be administered by him [Secretary of Interior] directly or in accordance with cooperative agreements ... and in accordance with such rules and regulations for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon."

In 1971 the limited-interest refuge that covers what is now Lake Otis NWR was "rediscovered" at which time the Director established it as a refuge under the Migratory Bird Conservation Act: "for use as an inviolate sanctuary, or for any other management purpose, for migratory birds."

All goals, objectives, and strategies are intended to support the individual purposes for which each refuge was established.

2.5 Vision and Goals

After public scoping, the Service developed a vision for the Program. A vision describes what will be different in the future as a result of the CCP and the essence of what the Service is trying to do for these refuges and its partners. The vision is a future-oriented statement designed to be achieved through refuge management by the end of the 15-year CCP planning horizon.

Vision Statement

Since our Nation's beginning, great flocks of wildfowl—ducks, geese and water-birds—provided sights and sounds, food and feather. These wings of migration not only inspired hunters but some of our greatest artists, photographers, and poets. In the 1930s, much of the United States, including North Dakota, was gripped by a devastating drought and depression. Hot winds that dried crops also dried wetlands. Wildfowl numbers plummeted, and the skies grew quiet.

Americans took this crisis and saw opportunity and a great partnership was formed. Conservation leaders, the state of North Dakota, the federal government, and private landowners laid the foundation for what would become the North Dakota Limited-interest Program. This Program addressed both wildlife conservation and economic needs. The Works

Progress/Program Administration and Civilian Conservation Corp brought jobs to the communities building dams and other structures to create water areas that now provide habitat and sanctuary for waterfowl and other migratory birds.

Through cooperation with the current refuge landowners and other conservation partners, the Program will realize its full potential. It will become a premier example of private land partnerships promoting fish and wildlife conservation, supporting other conservation programs while continuing to serve as sanctuaries for international migratory birds.

Goals

The Service also developed a set of goals for the Program based on the Improvement Act and information gathered during CCP planning. Five goals were identified.

Goal 1. Wetland Habitat: Maintain and manage natural and created wetlands within the approved acquisition boundary to provide habitat for international populations of waterfowl and other migratory birds along with other wetland-dependent wildlife.

Goal 2. Upland Habitat: Establish a land protection program within the approved acquisition boundary to maintain, restore, and enhance uplands to provide habitat for international populations of waterfowl, other migratory birds, and other wildlife.

Goal 3. Partnerships: Foster beneficial landowner, community, and regional partnerships to assist in achieving the Program vision while ensuring 100 percent of all partners gain a greater understanding of the management and resources of the limited-interest refuges.

Goals 4. Visitor Services: Where compatible, and in cooperation with willing landowners, allow public fishing, hunting, trapping, and other quality wildlife-dependent recreation opportunities that foster an appreciation and understanding of the management and resources of the Program and the System.

Goal 5. Administration: Secure and effectively use funding, staffing, and partnerships to ensure the Program meets its full potential of habitat protection and visitor use.

Table 4. Acres, establishment date, legislation, and purpose(s) for each refuge

<i>Refuge</i>	<i>Limited-interest Refuge Acres</i>	<i>Fee-title Acres</i>	<i>Approved Acquisition Boundary Acres</i>	<i>Establishment Date and Boundary Approval</i>	<i>Establishment Legislation or Executive Order (EO)</i>	<i>Refuge Purpose(s)</i>
Appert Lake	907.75	0	1,162.76	May 10, 1939	EO 8110	“as a refuge and breeding ground for migratory birds and other wildlife.”
Ardoch	2,388.50	307.63	2,980.00	June 12, 1939	EO 8147	“as a refuge and breeding ground for migratory birds and other wildlife.”
Bone Hill	640.00	0	640.00	May 10, 1939	EO 8162	“as a refuge and breeding ground for migratory birds and other wildlife.”
Brumba	1,977.48	0	1,977.48	June 12, 1939	EO 8148	“as a refuge and breeding ground for migratory birds and other wildlife.”
Buffalo Lake	1,539.92	23.80	2,105.00	May 10, 1939	EO 8113	“as a refuge and breeding ground for migratory birds and other wildlife.”
Camp Lake	584.70	0	1,212.44	May 10, 1939	EO 8114	“as a refuge and breeding ground for migratory birds and other wildlife.”
Canfield Lake	310.13	3.10	453.00	May 10, 1939	EO 8115 (limited-interest refuge acres) Migratory Bird Conservation Act (3.10 fee-title acres)	“as a refuge and breeding ground for migratory birds and other wildlife “for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.”
Cottonwood Lake	1,013.47	0	1,013.00	June 12, 1939	EO 8149	“as a refuge and breeding ground for migratory birds and other wildlife.”
Dakota Lake	2,799.78	0	2,734.00	May 10, 1939	EO 8117	“as a refuge and breeding ground for migratory birds and other wildlife.”
Half Way Lake	160.00	0	160.00	May 10, 1939	EO 8120	“as a refuge and breeding ground for migratory birds and other wildlife.”
Hiddenwood	568.35	0	568.00	June 12, 1939	EO 8150	“as a refuge and breeding ground for migratory birds and other wildlife.”
Hobart Lake	1,831.21	245.89	1,840.00	June 12, 1939	EO 8151	“as a refuge and breeding ground for migratory birds and other wildlife.”
Hutchinson Lake	478.90	0	478.90	May 10, 1939	EO 8121	“as a refuge and breeding ground for migratory birds and other wildlife.”
Johnson Lake	2,003.42	4.49	1,928.00	May 10, 1939	EO 8120	“as a refuge and breeding ground for migratory birds and other wildlife.”
Lake George	3,089.61	29.20	3,113.00	June 12, 1939	EO 8153	“as a refuge and breeding ground for migratory birds and other wildlife.”

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Lake Otis	320.00	0	640.00	Aug. 4, 1971	Migratory Bird Conservation Act	“for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.”
Lake Patricia	800.23	0	1,434.23	June 12, 1939	EO 8156	“as a refuge and breeding ground for migratory birds and other wildlife.”
Lambs Lake	1,206.67	0	1,318.00	June 12, 1939	EO 8159	“as a refuge and breeding ground for migratory birds and other wildlife.”
Little Goose	288.41	0	359.04	May 10, 1939	EO 8125	“as a refuge and breeding ground for migratory birds and other wildlife.”
Lords Lake	1,915.29	0	1,915.22	May 10, 1939	EO 8127	“as a refuge and breeding ground for migratory birds and other wildlife.”
Lost Lake	960.21	0	960.00	May 10, 1939	EO 8128	“as a refuge and breeding ground for migratory birds and other wildlife.”
Maple River	712.00	0	1,120.00	June 12, 1939	EO 8162	“as a refuge and breeding ground for migratory birds and other wildlife.”
Pleasant Lake	897.80	0	1,020.00	June 12, 1939	EO 8164	“as a refuge and breeding ground for migratory birds and other wildlife.”
Pretty Rock	800.00	0	800.00	Feb. 3, 1941	EO 8659	“as a refuge and breeding ground for migratory birds and other wildlife.”
Rabb Lake	260.80	0	261.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”
Rock Lake	5,505.96	0	5,557.00	June 12, 1939	EO 8165	“as a refuge and breeding ground for migratory birds and other wildlife.”
Rose Lake	839.30	0	1,280.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”
School Section Lake	297.30	0	680.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”

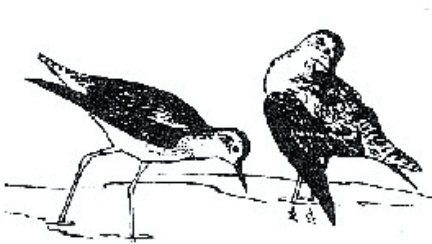
Table 4. Acres, establishment date, legislation, and purpose(s) for each refuge

<i>Refuge</i>	<i>Limited-interest Refuge Acres</i>	<i>Fee-title Acres</i>	<i>Approved Acquisition Boundary Acres</i>	<i>Establishment Date and Boundary Approval</i>	<i>Establishment Legislation or Executive Order (EO)</i>	<i>Refuge Purpose(s)</i>
Shenynne Lake	797.30	0	1,273.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”
Sibley Lake	1,077.40	0	1,077.00	June 12, 1939	EO 8167	“as a refuge and breeding ground for migratory birds and other wildlife.”
Silver Lake	3,347.64	0	3,348.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”
Snyder Lake	1,550.18	0	1,550.18	Feb. 3, 1941	EO 8660	“as a refuge and breeding ground for migratory birds and other wildlife.”
Springwater	640.00	0	640.00	Feb. 3, 1941	EO 8661	“as a refuge and breeding ground for migratory birds and other wildlife.”
Stoney Slough	880.00	0	2,000.00	Feb. 3, 1941	EO 8663	“as a refuge and breeding ground for migratory birds and other wildlife.”
Sunburst Lake	327.51	0	494.96	Feb. 3, 1941	EO 8664	“as a refuge and breeding ground for migratory birds and other wildlife.”
Tomahawk	440.00	0	440.00	Feb. 3, 1941	EO 8665	“as a refuge and breeding ground for migratory birds and other wildlife.”
Willow Lake	2,619.69	0.69	2,848.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”
Wintering River	239.26	0	399.12	Feb. 3, 1941	EO 8667	“as a refuge and breeding ground for migratory birds and other wildlife.”
Wood Lake	280.00	0	280.00	Dec. 21, 1948	Act of August 14, 1946 (precursor to the Fish and Wildlife Coordination Act)	“shall be administered ... for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon.”
Totals	47,296.17	614.8	54,140.33			

2.6 Special Values

The planning team and public identified special values and qualities that make most of these refuges valuable for wildlife and the American people. The limited-interest refuges:

- contribute to a complex of habitats;
- complement other conservation lands;
- provide nesting, staging, and resting areas for waterfowl;
- provide habitat for other migratory birds;
- provide a reliable water source for migratory birds during critical migration periods;
- increase hunting opportunities in surrounding areas;
- maintain water quality and quantity;
- have secure senior water rights (38 of 39 refuges);
- provide cultural value
 - historical value of the Program (dustbowl, waterfowl decline)
 - local history (Works Progress/Project Administration and Civilian Conservation Corps projects);
- provide wildlife observation opportunities;
- serve as wildlife sanctuaries.



Yellowlegs

Bob Hines/USFWS

2.7 Issues

A final list of issues was developed following an analysis of all comments collected from refuge staffs, public scoping activities, and a review of the requirements of the Improvement Act and NEPA. Substantive comments (i.e., those that could be addressed within the authority of the limited-interest refuge agreement and the management capabilities of the Service) were considered during the formulation of the alternatives for future management. Major issues are summarized below.

Wetland Management

The Service acquired the rights to “flood with water, and to maintain and operate an artificial lake, and/or to raise the water level of a natural lake or stream, upon the land ... for water conservation, drought relief, and for migratory bird and wildlife conservation purposes.” The Service also was granted the right to install structures necessary to achieve this purpose. Most of the work began in the 1930s through the Works Progress/Program Administration and Civilian Conservation Corps. Since that time, no funding or staffing has been committed for management and maintenance of created wetlands and structures. Structures have been replaced as funds become available; however, most structures are original and are in disrepair, or do not meet the standards necessary to effectively manage water for wildlife purposes.

In addition, the Service has not had funding or staffing to manage naturally occurring wetlands, currently estimated at nearly 3,000 acres. This is a significant resource for a variety of wildlife species, in particular waterfowl, shorebirds, and wading birds. If the Service wishes to protect wetlands, it must work with willing landowners to determine adequate compensation for this added protection (see section 6.3).

Upland Management

The Service regulates hunting and trapping in uplands. Development, farming, and grazing existed and have expanded on many of the limited-interest refuges since this Program was initiated 70 years ago. In some cases, these activities have caused a complete loss of biodiversity and wildlife habitat. Most refuges have varying intensities of impacts including the loss of wetlands and native grasslands.

According to “Habitat and Population Evaluation Team” (HAPET) data, about 14,060 acres of native prairie occurs on the limited-interest refuges. Most of this acreage is used for grazing and haying; however, farming and development patterns change and once this prairie is broken for farming or construction, it will be lost forever. The continued loss of upland habitat, in particular native prairie, will have the greatest impact to wildlife and the future of the Program.

Partnerships

Over 225 landowners own 93 percent of the lands within the boundaries of the limited-interest refuges. Some landowners’ parents or other relatives signed the easement refuge agreements and current landowners have since inherited the properties. In some cases, landowners were unaware the easement refuge existed. There has never been an avenue or program that has allowed for consistent, quality dialogue between landowners and the Service. Some efforts have been made to work with landowners when maintenance or rehabilitation of structures has been completed, but overall there has been little contact. Several landowners prefer this lack of contact, while others wish to be more informed on management plans and opportunities to receive compensation for additional protections such as wetland and grassland easement refuges or fee title. Assistance has occasionally been requested for maintaining water level management structures.

The Program will not succeed without the partnership of these landowners. While some of the limited-interest refuges have remained unchanged over the life of the limited-interest refuge, others have been developed extensively. Many landowners would like assistance or compensation for managing their uplands for wildlife. However, except for a few acquisitions including some additional limited-interest refuges, no funding or staffing have been allocated for this Program since it was initiated.

Some partners have shown interest in providing assistance in maintaining these refuges; however, because most limited-interest refuges are on private lands, few incentives exist for national organizations to assist in maintenance and rehabilitation. The Service’s Private Lands Program has been successful in North Dakota; however, because the limited-interest refuges already have some

protection, few attempts have been made to use this program’s limited resources for the limited-interest refuges. Most of the work accomplished on the limited-interest refuges, including boundary posting, structure maintenance, and law enforcement, is incidental to the managing stations’ other funded programs.

Visitor Services

The Improvement Act recognized that wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation, when determined to be compatible, are legitimate and appropriate public uses of the Refuge System. However, even if a use is found to be compatible on a refuge, it may not be permitted unless the resources are available to manage that use.

The NDGF was particularly interested in determining the landowner’s willingness and compatibility of opening as many refuges as possible to provide increased recreational opportunities.

No public use on any limited-interest refuge will be permitted without access being granted by willing landowners. The Service has never had the right to permit access to the public without the landowners’ permission.

In addition, the Service cannot open refuges to any uses unless they are open to the general public. Restrictions may be placed on the number of users through permits and drawings; however, no restrictions can be placed on who may participate. The following summarizes the issues related to wildlife-dependent programs.

Consumptive Uses (hunting, fishing, and trapping). The Service has the right to control all hunting, trapping, and fishing within the boundaries of the limited-interest refuges. This includes the right to allow these uses when found compatible with the purposes and funding and staffing are available to manage the program.

Hunting and Trapping. Hunting and trapping are considered by many, including the Service, to be a legitimate, traditional recreational use of renewable natural resources. National wildlife refuges exist primarily to safeguard wildlife populations through habitat preservation. The word “refuge” includes the

idea of providing a haven of safety for wildlife and, as such, hunting and trapping might seem an inconsistent use of the System. However, habitat that typically supports healthy wildlife populations produces harvestable surpluses that are a renewable resource.

A number of landowners commented about crop and landscaping damage due to the concentration of white-tailed deer and geese. In particular, during hunting seasons, wildlife concentrate in protected areas and impact crops and landscaping due to this unnatural concentration of animals and lack of food. There is no concern that these wildlife species are in peril or declining in number. The populations are at harvestable levels.

When historical records were examined, increased trapping opportunities was seen as a benefit to establishing these refuges. At that time this benefit was more economic than biological. Since established, trapping has been permitted on these refuges on a permit-only basis. The use today is minimal, less than one trapper per refuge. However, this trapping program has become vital to the success of nesting waterfowl and grassland birds, the purpose for which these refuges were established. Studies indicate that the major source of mortality for waterfowl during the breeding season is predation (Sargeant and Reveling 1992), with greater than 70% of nest failures attributed to predation (Sovada et. al. 2001). The predator community of the prairie pothole region has drastically changed as habitat was modified by agriculture. The resulting highly cultivated and heavily fragmented landscape is more conducive to smaller predators such as fox, raccoon and skunk than it is for wolves and grizzlies. Smaller predators now occur at very high densities across the prairie breeding grounds. These smaller predators prey heavily on all ground nesting birds, including ducks. The result is that we now rarely observe nesting success in ducks over 15%, which is likely the break even point for most populations of waterfowl. This is a human-caused problem and without intervention, these small predator bases would continue to expand and devastate waterfowl and other ground nesting bird populations.

Fishing. Fishing is currently permitted on only a few refuges. The Service does control this use but must receive permission for public access from the landowners. Although the Service

controls fishing, it looks to the state to assist in managing those areas open to fishing. The state currently stocks several lakes open to the public with game fish. The landowners, the state, and the managing stations requested that we examine additional opportunities for fishing on other refuges in this project area. There was particular interest in ice fishing, a popular sport throughout the state. The Service will ensure that any current or proposed uses are compatible with the purposes of each refuge.



Boy Fishing

Paul Kerris/USFWS

Nonconsumptive Uses (wildlife observation and photography, environmental education and interpretation). Wildlife-dependent nonconsumptive uses such as wildlife observation, photography, environmental education, and interpretation, are priority public uses of the System. None of these activities are currently promoted on the limited-interest refuges. Public access must be granted by the landowners and the use must be found compatible before any public uses are permitted. It is not known what opportunities exist for these uses. However, there was some interest at public meetings and from a few landowners to develop trails and provide environmental education and interpretation opportunities, in particular for students.

Administration

Since it was established almost 70 years ago, only cursory attempts have been made to provide the guidance and resources necessary to properly manage the Program. Overall, this

Program is managed and funded incidental to the managing stations' other funded programs, such as management of fee-title refuge lands and WPAs. Funding and staffing are already insufficient to manage the current fee-title and limited-interest refuge land bases. The managing stations spend an average of only 5 days per year working on the limited-interest refuges, partly as a result of limited management abilities afforded by the limited-interest refuge agreement. However, the lack of attention has equated to a loss of biodiversity and management capability as areas become developed and water management structures lose integrity.

Divestiture

The North Dakota Limited-interest Program was initiated to address a variety of issues relevant in the 1930s including a widespread depression and drought, market hunting, and wildlife preservation. This was also the era of one of the largest land conservation movements in history. Many of the national wildlife refuges in existence today were established during this era by such conservation leaders as J. Clark Salyer, Jr., Ding Darling, and Director M.O. Steen. This was also the time President Franklin Roosevelt introduced the "New Deal," which created such programs as the Works Progress/Project Administration and the Civilian Conservation Corps.

Representatives from the Bureau of Biological Survey (precursor the U.S. Fish and Wildlife Service) traveled throughout North Dakota and other states meeting with landowners and securing refuge and/or flowage easements. Hundreds of these easements were signed followed by dozens of limited-interest refuges being established through executive order and other legislation. Local communities were provided jobs as water management structures were built to provide critical water for migratory birds and livestock.

In the 1950s, there was an effort to re-evaluate each refuge to determine its ability to function as a refuge. A field team from the Service

traveled to each refuge and habitats were evaluated at a cursory level. Many refuges were heavily impacted by development, while some easement agreements had been acquired on areas that possessed little or no wildlife habitat. Although the process is not well documented, it appears that dozens of limited-interest refuges were divested based on this report.

Following this effort, several limited-interest refuges began to receive greater attention. Some of them have since become fully functioning national wildlife refuges, primarily due to land acquisitions.

The most recent divestiture of a limited-interest refuge occurred in 1999 on Lake Elsie National Wildlife Refuge. Public Law 105-312, adopted October 30, 1998 (110 Stat. 2957), terminated the Service's easement on 634.7 acres and repealed Executive Order 8152, thus abolishing the refuge. The Service requested the action, as all migratory bird values had been lost to development, which under the terms of the easement and EO creating the refuge, the Service had no authority to control. This same justification is being used for several of the limited-interest refuges proposed for divestiture in this document.

This CCP process is only the second recorded attempt to comprehensively evaluate the limited-interest refuges and determine each refuge's worthiness to be part of the System. It is critical to complete this evaluation. Any resources obtained for this Program must be used on those refuges that truly have the potential to meet the purposes for which they were established and the goals and mission of the System. Refuges that cannot meet this standard, or that have been or can be managed by the state of North Dakota, which owns many of these refuge lands, must be considered for divestiture.

Chapter 3. Alternatives

3.1 Introduction

Alternatives are different approaches designed to achieve the refuge purpose(s), vision, and the goals identified in the CCP while helping to fulfill the System's mission.

This chapter describes the two alternatives analyzed in detail for the Program, including alternative A (current management—no action) and alternative B (enhance the program). The following sections describe how the alternatives were developed and how they addressed the substantive issues identified during the scoping process.

This CCP and EA have been completed at the programmatic level, rather than as a management plan for each refuge. This was the most logical approach given the following circumstances:

- 39 limited-interest refuges in the CCP
- Private ownership of 93 percent of the limited-interest refuge lands
- Similarity of purposes, limited-interest refuge agreement language, and management history
- All but two are located east of the Missouri River, scattered from the Canadian to South Dakota borders
- No established guidelines or resources to manage the refuges or the Program

3.2 Alternatives Development

In 2004, the Service held several meetings with the landowners, public, and agencies to identify issues and concerns associated with the establishment and management of the Program. The public involvement process is summarized in greater detail in chapter 2. Based on public input, as well as guidance from the Improvement Act, NEPA, and Service planning policy, the planning team selected six substantive issues to be addressed in the alternatives:

1. Wetland Management
2. Upland Management
3. Partnerships
4. Visitor Services
5. Administration
6. Divestiture

A more detailed description of each issue is in section 2.7.

Once the decision was made to prepare a programmatic plan, it was discussed how to develop alternatives for meeting the goals while addressing these substantive issues. Given the circumstances mentioned previously, in particular, the fact that there were no current management guidelines, it was felt that the only alternative other than no action was to “enhance the program.”

Any proposed actions beyond the uses the Service will regulate (see section 2.3) will not be conducted without the full support of the affected landowners.

3.3 Alternatives Considered but Eliminated from Detailed Study

When the planning process began and the issues for these refuges and the program were identified, the planning team recognized that there was a great deal of similarity in purposes, habitats, issues, and limited management capabilities (see section 2.3) for all of 39 refuges. Given these facts, there was no added value in developing individual goals, objectives, and strategies for each refuge.

3.4 Elements Common to All Alternatives

This section identifies key elements included in the CCP regardless of which alternative was selected. Both alternatives would incorporate the following:

- No alternative would infringe on any landowner rights or commercial uses, beyond the uses the Service would regulate under the authority of the limited-interest refuge agreement (as described in section 2.3), without permission from willing landowners.
- Landowners would have the right to refuse receiving any additional compensation for added protections.
- Activities outside the authority of the limited-interest refuge agreement would not be conducted unless permission is granted from affected, willing landowners.
- Landowners would be provided with information on the Program annually.
- The Service would minimize negative impacts to migratory birds and other wildlife by regulating uses that occur on water.
- The Service would ensure that refuge management complies with all other federal laws and regulations that provide direction for managing units of the System.

Chapter 6 outlines the Service's plan for implementing the Enhancing the Program alternative in the form of goals, objectives, and strategies.

3.5 Description of Alternatives

The theme and general management direction for each alternative are described below.

Alternative A—Current Management (No Action)

Alternative A, the no-action alternative, describes current and future management of the Program. It provides the baseline against which to compare the preferred alternative. It is also a requirement of NEPA that the no-action alternative be addressed.

General Management Direction

Management would continue to be incidental to other refuge programs. Visitor services would see few changes due to a lack of funding and staffing to manage additional uses.

Upland and wetland habitat, in particular native prairie, would continue to be lost and landowners would not receive any further compensation for habitat protections. Water management structures would continue to deteriorate. Any repairs to water management structures would be funded through the maintenance and management program.

Current hunting and trapping programs would continue if they are determined to be compatible with the refuge purposes. Only a few refuges are open to hunting while each refuge has been opened to permit-only trapping since they were established. The trapping program is limited, less than one trapper per refuge; however, this program is vital to increasing ground nesting bird survival by reducing unnaturally high populations of small predators (including raccoons and skunks). This permit-only trapping would continue.

Contact with landowners and other partners would be incidental to issues and common interests.

No limited-interest refuges would be divested, further straining limited resources and affecting the integrity of the System due to the retention of refuges that do not support the mission or goals of the System.

Activities outside the authority of the limited-interest refuge agreement would not be conducted unless permission is granted from willing landowners.

Alternative B—Preferred Alternative (Enhance the Program)

Alternative B, the preferred alternative, would address these refuges and their identified issues at a programmatic level while assisting the refuges to reach their full potential through greater cooperation and support.

General Management Direction

Highest priority would be given to ensuring that landowners become true partners in this Program and are involved in future management. A full-time Program manager would be recruited to oversee the Program and

implement this CCP. Landowners would be contacted at least annually through an informational newsletter providing updates on Program changes, opportunities, and limited-interest refuge news. Partnerships with state agencies and other organizations would be actively pursued to achieve common goals that may support and enhance the Program.

Using available habitat data, each managing station would work with the Habitat and Population Evaluation Team to develop a protection priority list for each refuge. Native prairie habitat would be given highest priority as areas are ranked, followed by natural wetlands. This would be the first critical evaluation of the value of each refuge and would assist managers in prioritizing the use of limited funding and staffing.

With assistance from the Regional Engineering Office, existing impoundments would be evaluated to determine needed repairs or replacement of water management structures such as spillways, dams, and water control structures. Following evaluation, repairs, or replacement, impoundments would be managed for wetland-dependent migratory birds under the guidelines of an established water level management plan.

Existing public use programs would continue if they remain compatible and there is a continued demand. Trapping would continue on a permit-only basis focusing efforts on maximizing waterfowl and other grassland nesting bird success through predator control. Public ice fishing would be permitted, where compatible.

The Service would work with willing landowners to determine their interest in providing access to the public for additional hunting, fishing, wildlife observation and photography, environmental education and interpretation programs. As new opportunities arise, each manager would determine the compatibility of such activities based on the refuge purposes and available resources to manage the proposed use. All programs must be made available to the public, but no public uses will occur unless the landowners grant access. Even though these refuges are primarily on private lands, any public programs are governed under the Code of Federal Regulations; therefore, public participation may not be restricted beyond such restrictions as limiting the number of users and seasons.

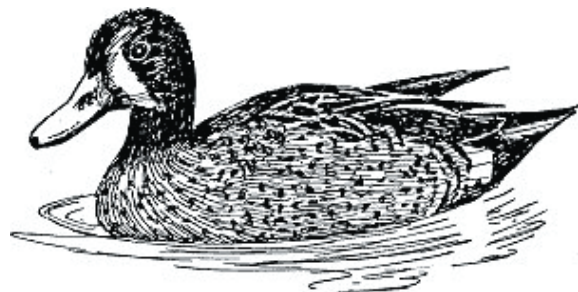
Under this alternative, six refuges would be proposed for divestiture: Camp Lake, Lake Patricia, Sheyenne Lake, School Section Lake, Bone Hill, and Cottonwood Lake. These refuges are being considered for divestiture due to extensive loss of habitat and ownership patterns. In particular, the state currently owns and/or manages three of these refuges (Lake Patricia, Sheyenne Lake, and School Section Lake) and are willing to continue if they are divested. The state has also expressed an interest in the fisheries resources of the remaining three refuges although these refuges uplands have little value to wildlife due to extensive development and commercial operations. The Service does not control these upland uses under the limited-interest refuge agreement; therefore, the uses have expanded over the 70 years. These proposals would ensure that future resources are expended on the remaining refuges that still have the potential to support the mission and goals of the System.

In all cases, activities outside the authority of the limited-interest refuge agreement would not be conducted unless permission is granted from the affected and willing landowners including, but not limited to:

- additional compensation for added protections of wildlife habitat;
- fee-title acquisitions;
- visitor services programs where access is needed from the landowner.

3.6 Comparison of Alternatives

The two alternatives evaluated are no action and enhance the program (the preferred alternative). A comparison of these alternatives is shown in table 5.



Blue-winged Teal

Tom Kelley/USFWS

Table 5. Summary comparison of alternatives

<i>Focus Area</i>	<i>Alternative A (Current Management—No Action)</i>	<i>Alternative B (Enhance the North Dakota Limited-interest Program)</i>
Wetland Management	<p>Retain current structures acquiring funds from the Maintenance Management System program for incidental repair/rehab</p> <p>Little to no water level management of existing impoundments</p> <p>No management or protection of natural wetlands.</p> <p>No actions would be conducted beyond the authority of the current limited-interest refuge agreement (see section 2.3).</p>	<p>Evaluate existing structures, prioritize projects and repair or replace as needed to meet modern water level management standards while not exceeding current water right levels.</p> <p>Actively manage those impoundments with the ability to support migratory birds, particularly waterfowl.</p> <p>Work with willing landowners to protect and enhance naturally occurring wetlands.</p> <p>Monitor wildlife response to management actions.</p> <p>No actions would be conducted beyond the authority of the current limited-interest refuge agreement (see section 2.3) without the permission of willing landowners.</p> <p>Work with willing landowners to restore and enhance riparian habitats.</p>
Upland Management	<p>No management of upland habitat or uses.</p> <p>No actions would be conducted beyond the authority of the current limited-interest refuge agreement (see section 2.3).</p>	<p>Managing stations will work with the HAPET office to prioritize refuges and upland habitat types for added protections, giving priority to native habitats.</p> <p>Provide assistance and compensation to willing landowners for added protections of upland habitat.</p> <p>Monitor wildlife response to management actions.</p> <p>Provide farmers with information through the Department of Agriculture on best management practices to reduce siltation and contaminants.</p> <p>No actions would be conducted beyond the authority of the current limited-interest refuge agreement (see section 2.3) without the permission of willing landowners.</p>

Table 5. Summary comparison of alternatives

<i>Focus Area</i>	<i>Alternative A (Current Management—No Action)</i>	<i>Alternative B (Enhance the North Dakota Limited- interest Program)</i>
Partnerships	Annually update landowner mailing list. Contact with landowners and other partners would be incidental to issues and common interests.	Same as alternative A except: Prepare an annual newsletter for the landowners and other interested partners providing information on the Program including compensated programs available to willing landowners and include a postage-paid comment form to provide feedback to the Service. Provide opportunities for landowners to record wildlife sightings on their properties. Highlight sightings in annual newsletters. Notify landowners when management actions have the potential to affect their lands. Work with NDGF to collaborate on refuge evaluations for habitat protection and visitor services programs. Actively develop partnerships to work on common interests that may benefit the Program.
Visitor Services		
Hunting, Trapping, and Fishing	No new hunting or fishing opportunities would be permitted unless compatible with the refuge purposes, resources are available, and landowners provide access. No waterfowl (ducks) hunting would be permitted. Trapping would continue on a permit-only basis focusing all efforts on improving nesting success of waterfowl and other ground nesting birds through a predator management program. Trappers will follow state regulations and annually report species harvested.	Same as alternative A, except: Managing stations would actively work with willing landowners and the NDGF to evaluate each refuge for hunting and fishing opportunities. Depredation issues would be addressed through these programs. Four seasonal law enforcement officers would be recruited to ensure the safety of visitors, landowners, and wildlife. Ice fishing would be permitted, where appropriate and compatible.
Wildlife Observation and Photography	No active watchable wildlife programs.	Managing stations would actively work with landowners to determine their willingness to provide wildlife viewing opportunities. Develop wildlife observation programs.
Environmental Education	No environmental education programs.	Managing stations would actively work with landowners to determine their willingness to provide environmental education opportunities. Work with the Service's Visitor Services Division and local teachers to develop environmental education programs highlighting the Program and its resources.

Table 5. Summary comparison of alternatives

<i>Focus Area</i>	<i>Alternative A (Current Management—No Action)</i>	<i>Alternative B (Enhance the North Dakota Limited-interest Program)</i>
Administration	No dedicated resources would be available for the Program.	Recruit one statewide Program manager. Develop Maintenance Management System projects to repair or replace water management structures. Develop project proposals for compensating willing landowners for added protections.
Divestiture	No refuges would be divested.	Six refuges would be divested due to habitat loss and opportunities for state management. Future resources available for the Program would be used on those refuges that have the ability and qualities needed to support the goals of the National Wildlife Refuge System.